

ZONING CHANGE REVIEW SHEET**CASE:** C14-2007-0192 Habibi's Hutch**PC Date:** November 13, 2007**ADDRESS:** 2004 - 2006 Bert Avenue**OWNER/APPLICANT:** Belinda Campos-Calhoun**AGENT:** Drenner & Golden Stuart Wolff, LLP (Michele Rogerson)**ZONING FROM:** SF-3**TO:** LO**AREA:** 0.6384 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the of limited office-conditional overlay (LO-CO) combining district zoning. The conditional overlay would prohibit all LO uses except medical office, and allow all NO uses.

ZONING AND PLATTING COMMISSION RECOMMENDATION:**November 13, 2007:** Approved LO-CO on consent (8-0)**DEPARTMENT COMMENTS:**

The property is currently developed with single family uses and is zoned SF-3. The request is to rezone to limited office to allow for a commercial day care.

The proposed use of the site is a new location for the Habibi's Hutch daycare, being dislocated by the mixed use project at Lamar and Manchaca (case C14-2007-0083).

Staff supports the request for rezoning, with conditions similar to those place on the property immediately to the south, limiting the LO uses to medical offices and all NO uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Single family and duplex
<i>North</i>	SF-3	Single family homes
<i>South</i>	LO and SF-3	Day care, office and single family homes
<i>East</i>	NO	Office uses
<i>West</i>	MF-2	Apartments

AREA STUDY: The property lies within the South Lamar Neighborhood Planning Area, currently underway.

TIA: A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

WATERSHED: West Bouldin Creek.

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- South Lamar Neighborhood Assn.
- Barton Springs/ Edwards Aquifer Conservation Dist.
- South Central Coalition
- Austin Neighborhoods Council
- Austin Independent School District

SCHOOLS: (AISD)

Joslin Elementary School Porter Middle School Crockett High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Bert Avenue	50'	27'	Local	No	Rte 27	3 Manchaca 103 Manchaca Flyer

CITY COUNCIL DATE: **ACTION:**

December 6, 2007: Postponed to January 10, 2008

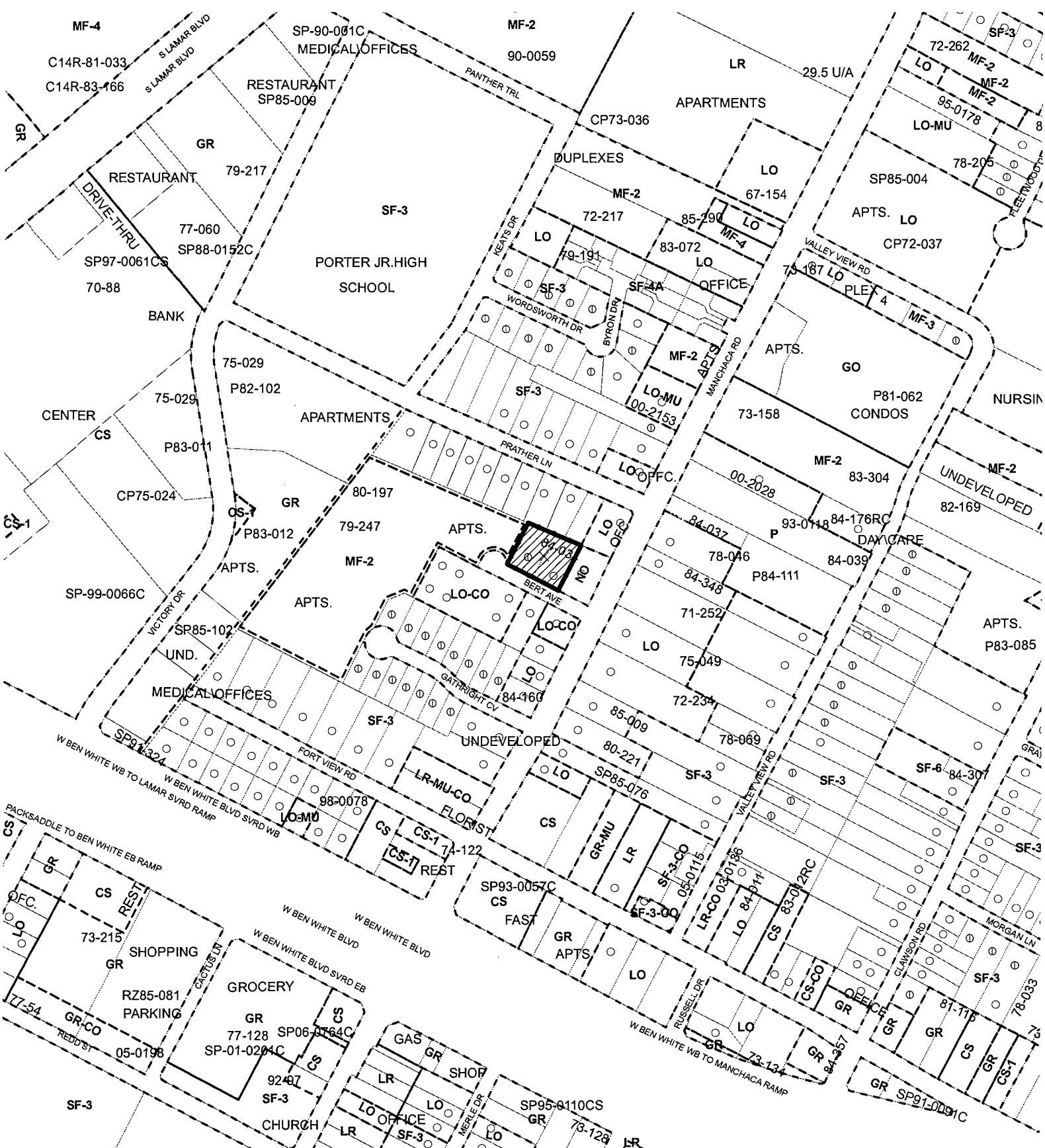
January 10, 2008

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

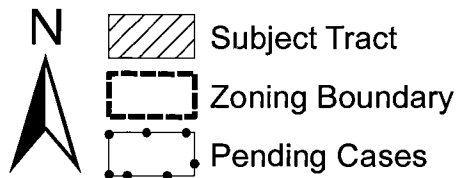
CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



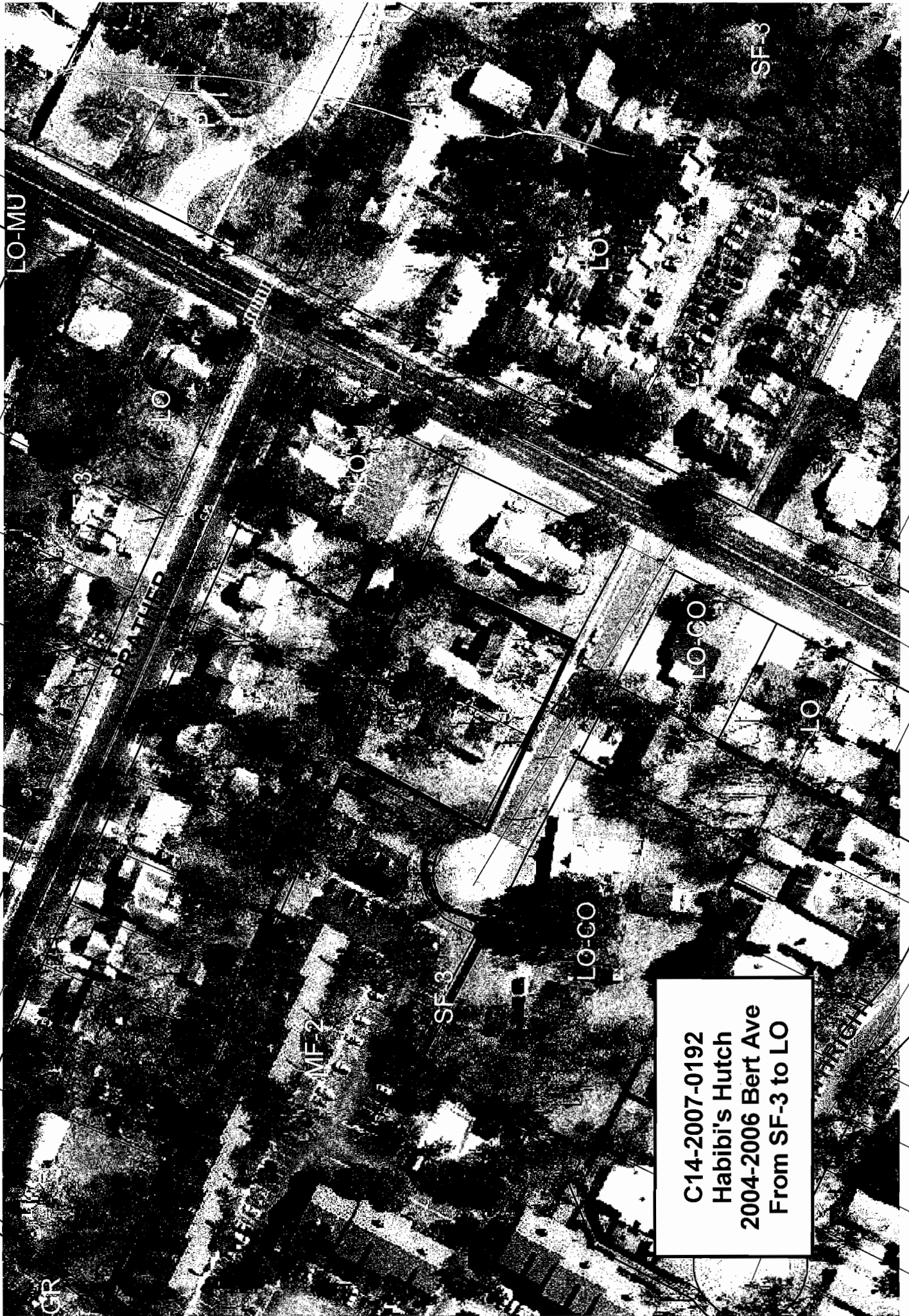
ZONING

ZONING CASE#: C14-2007-0192
ADDRESS: 2006 BERT AVE
SUBJECT AREA: 0.6384 ACRES
GRID: G19
MANAGER: R. HEIL



1" = 400' OPERATOR: S MEEKS

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C14-2007-0192
Habibi's Hutch
2004-2006 Bert Ave
From SF-3 to LO

SUMMARY STAFF RECOMMENDATION

Staff recommends approval of the of limited office-conditional overlay (LO-CO) combining district zoning. The conditional overlay would prohibit all LO uses except medical office, and allow all NO uses.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

LO zoning on this cul-de-sac off of Manchaca Blvd would allow for the site to be developed with uses compatible with the other office uses on the cul-de-sac. Setback requirements that are part of the compatibility standards would protect nearby and adjacent single family uses.

2. *Similarly treated properties should be treated similarly.*

On case C14-03-0070, property across the street was rezoned on July 17, 2003 from SF-3 to LO-CO. Staff recommends an identical conditional overlay for this case.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Along the north and south property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

The site is served with City of Austin water and wastewater utilities. The landowner intends to serve the site with City of Austin water and wastewater utilities. If required, the landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.